

TITLE 31
COUNTIES AND COUNTY LAW

CHAPTER 57
CONSOLIDATION OF OFFICES AMONG COUNTIES

31-5701. CONSOLIDATION OF OFFICES IN TWO OR MORE COUNTIES WITH OTHER CHARACTERISTICS OF EXISTING FORM IN EACH COUNTY REMAINING UNCHANGED -- OFFICE OF COMMISSIONER MAY NOT BE CONSOLIDATED. The form of government provided in this chapter shall consist of the consolidation of one (1) or more county offices, other than the office of county commissioner, in two (2) or more counties, with all other characteristics of the form of government existing in each participating county to continue unchanged. No petition or resolution proposing a consolidation of offices between or among counties shall propose any other optional form of county government or any other changes in the existing form of government in any of the counties proposing to consolidate offices; except that the question of adopting another optional form of government in a participating county as proposed by a separate petition or resolution may be submitted at the same general election by the governing body of that county, as provided in section [31-5005](#), Idaho Code. The petition or resolution shall identify each of the counties participating in the consolidation.

[31-5701, added 1996, ch. 283, sec. 8, p. 945.]

31-5702. PETITION OR RESOLUTION FOR CONSOLIDATION TO BE FILED IN EACH PARTICIPATING COUNTY -- QUESTION TO BE SUBMITTED -- ALL COUNTIES MUST APPROVE -- TRANSITION. (1) Upon a resolution or petition meeting the signature requirements of section [31-5004](#)(1)(b), Idaho Code, filed with the governing body of each participating county, the governing body of each participating county shall submit to its electors at the same general election the question of whether the duties and responsibilities of one (1) or more county offices shall be consolidated between two (2) or more counties as proposed in the resolution or petition with all other characteristics of the county government of each participating county to continue unchanged. The petition or resolution submitted to the electors of each county shall meet the requirements of section [31-5004](#), Idaho Code, and shall contain the same proposals with respect to the office or offices to be consolidated. The consolidation shall be approved upon a majority vote of the electors in each county, voting separately. If the consolidation is not approved in all participating counties, the measure shall be deemed to have failed in all participating counties.

(2) The petition or resolution for consolidation filed in each of the participating counties shall provide, with respect to each office proposed to be consolidated, as follows:

(a) For the election of one (1) officer to perform the duties and responsibilities of the office on behalf of all the participating counties for a term not to exceed four (4) years, citing the effect of the consolidation upon any incumbents in office in the participating counties as authorized in section [31-5007](#), Idaho Code. Any residency requirements of the office shall be waived in the event of a consolidation under the provisions of this chapter; or

(b) For the appointment of one (1) or more parties, or for the execution of one (1) or more contracts with one (1) or more service providers

to perform the duties and responsibilities of the office being consolidated on behalf of all of the participating counties. The resolution or petition filed in each participating county shall indicate by whom and the manner in which any appointee is to be appointed and by whom and the manner in which any service provider is to be selected. Any person proposed for appointment and any contract with a service provider must be approved by the governing body of each participating county.

(3) The petition or resolution submitted to the electors shall provide for the orderly transition to the proposed consolidation of offices.

[31-5702, added 1996, ch. 283, sec. 8, p. 945.]

31-5703. COUNTIES REMAIN INDIVIDUALLY RESPONSIBLE. The consolidation of offices shall not relieve a county from the performance of all the duties and responsibilities required to be performed by the county or any officer of the county under the constitution and laws of the state of Idaho or the United States.

[31-5703, added 1996, ch. 283, sec. 8, p. 946.]